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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,167	01/31/2001	Justin D. Pearlman	13331-101	6098

26486            7590            05/22/2003  
PERKINS, SMITH & COHEN LLP  
ONE BEACON STREET  
30TH FLOOR  
BOSTON, MA 02108

EXAMINER	
EVANISKO, GEORGE ROBERT	
ART UNIT	PAPER NUMBER

3762            10  
DATE MAILED: 05/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT      PAPER

10

DATE MAILED:

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Commissioner for Patents

George R Evanisko  
Primary Examiner  
Art Unit: 3762

5/21/3

## **DETAILED ACTION**

### ***Election/Restrictions***

The amendment filed on 4/21/03 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because they are directed to a different method and are therefore independent and distinct and/or they are a subcombination of the originally presented combination claims. The original elected claims dealt with a method of performing diagnostic testing and enhancing the clarity of the display and had an extra step of comparing the data to training data to generate synthetic composite ECG data. The newly presented claims deal with a method and corresponding apparatus for multidimensional cardiac monitoring and deriving data that includes signal information not encompassed by any single signal channel or means for extracting spurious signals.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George R Evanisko whose telephone number is 703 308-2612. The examiner can normally be reached on M-F 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Angela Sykes can be reached on 703 308-5181. The fax phone numbers for the

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organization where this application or proceeding is assigned are 703 306-4520 for regular communications and 703 306-4520 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-1148.

George R Evanisko  
Primary Examiner  
Art Unit 3762

5/20/03

GRE  
May 21, 2003